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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Leandro Christmann

Confirmation No. 2824

Application No.: 09/919,143

Group Art Unit: 1632

Filed: July 31, 2001

Examiner: Michael C. Wilson

For: MICROINJECTION ASSEMBLY AND
METHODS FOR MICROINJECTING
AND REIMPLANTING AVIAN EGGS

Attorney Docket No.: 11106-009

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PROVISIONAL ELECTION UNDER 37 C.F.R. §1.143Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated October 7, 2002, please consider the following remarks. Applicant submits concurrently herewith a Petition for Extension of Time for a period of two (2) months from November 7, 2002 up to and including January 7, 2003, along with the authorization to charge the required extension fee.

RESTRICTION REQUIREMENT

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following inventions:

- | | |
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| Group I | Claims 1-8, 10, 12 and 14-17, drawn to a microinjection assembly for delivery of exogenous nucleic acid to an avian embryo, and a method for delivery exogenous nucleic acid to an avian embryo using said microinjection assembly |
| Group II | Claims 9, 11, 13 and 18, drawn to making transgenic avians or cloning avians |

In response, Applicant hereby elects the invention of Group II, Claims 9, 11, 13 and 18, drawn to making transgenic avians or cloning avians, classified in class 119, subclass 6.8.

CONCLUSION

Applicant respectfully requests that the foregoing remarks be entered and made of record in the file history of the application.

Respectfully submitted,

Date: January 7, 2003

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Enclosure